

DAILY LOUISVILLE DEMOCRAT.

VOLUME XV.

LOUISVILLE, KENTUCKY, TUESDAY, NOV. 16, 1858.

NUMBER 104

THE LOUISVILLE
DAILY DEMOCRAT,
—THE
DOLLAR DEMOCRAT
—AND—
WEEKLY DEMOCRAT

DAILY DEMOCRAT..... \$8 00
DAILY DEMOCRAT IN THE COUNTRY..... 5 00
THE DOLLAR DEMOCRAT..... 1 00
THE WEEKLY DEMOCRAT..... 2 00

The several issues of the DEMOCRAT are edited and published by JOHN H. HARNEY and WM. E. HUGHES; employ a corps of Assistant Reporters, and Correspondents; and it shall be the earnest endeavor of the proprietors to render the paper acceptable to all classes of readers, by making its columns the medium of every description of news—local, general, and miscellaneous—together with everything of interest in all the departments of trade or business.

The DEMOCRAT was commenced, under the auspices of the Democracy of Louisville, in July, 1844, and it has earnestly and consistently advocated the great truths of that party throughout its entire history—compromising nothing and yielding nothing to any of the numerous factions that have within that period presented themselves against it. The WEEKLY DEMOCRAT attained a circulation in 1856 next before equaled in the Democratic party seats of the Ohio river, was the Mountain; and our DAILY finds its way through the various mails to almost every point within the reach of daily communication with our city. We intend more than ever to make it acceptable, not only to the friends of "Popular Sovereignty" and "Equal Rights," but to every interest and every class of readers. Its Correspondence is a decided feature, and furnishes a large amount of news and other important matter which otherwise we could not obtain. Every question, political or otherwise, of general interest, is thoroughly discussed in our Editorial Columns, and nothing of moment shall escape our readers. Beside the Paper will, at all times, embrace a full variety of "POETRY FOR THE MILLION," consisting of Poetry, original and selected Sketches, Miscellany, and a FULL VARIETY designed to meet every taste.

The Daily Democrat

will contain an epistle of all that is going on in the city and country, of local or general importance. It will furnish reliable daily summaries, gleaned from the news, gathered from the city, and received by telegraph from all the leading points. It gives daily statements of the market in leading articles, and once every week furnishes a careful and complete review of the market.

It will also furnish its business columns the advertisements of the most energetic merchants, manufacturers, and tradesmen of Louisville, to gather with such notices as we shall from time to time make of them. In every essential we intend to adapt the DAILY DEMOCRAT to the wants of the city and its inhabitants. Its business columns shall give a correct impression of the general character of trade in Louisville; and we shall at all times keep our readers thoroughly posted in the events of the commercial world.

The Dollar Democrat

is made up from a selection of matter, and transferred to its pages from the columns of our DAILY. It is published every Saturday, at one dollar per year, always in advance. Circles fifty subscribers, to one address, eighty cents each.

The Louisville Weekly Democrat is the largest and most complete paper in the Democratic party in the West. In its ample columns we desire to keep our readers thoroughly posted in politics, the news, and in all matters of agricultural and mechanical interest, the commerce of the country, and a full variety of miscellaneous reading for the heterogeneous public. In all respects it shall be to its readers a welcome visitor and a useful companion. To close it is seen as follows:

For 1 copy—one year, in advance..... \$2 00
For 2 copies, do..... 3 00
For 3 copies, do..... 4 00
For 4 copies, do..... 5 00
For 5 copies, do..... 6 00
A single copy of the Weekly Democrat will be sent to any subscriber, at 25 cents.

The weekly Democrat has been published, to date, for nearly three years.

They were inconsistent; but what of that?

The editor of the Journal has no right to fault.

The Senators of the United States had two years to change opinions.

The editor changes in an hour; in the same article.

Speaking of the Republican of Indiana refusing to go into an election, he says:

"The alleged turpitude with which he (Bamford) charges these Senators, was, that they were not entitled to their newly-inherited rights to speak out in opposition to the election. Their infamy in this matter was their following the bad example repeatedly set them by the corrupt Democracy in Indiana and elsewhere."

Before he gets through he says:

"In the paper of the republians, according to the contemporaneous construction of the constitution, a Senator had the right to refuse an election, unless it were allowed a full and unanimous vote of both houses. This was done upon some of the States for twenty or thirty years after the adoption of the constitution, and many of the slave states and planters thought with Chancellor Kent that such was the true construction. After this, however, it was superseded and displaced. It is in the language of Lord Mansfield, a very beautiful writ, and the best method of preserving it, is to be sparing in the use of it. In England, the power of granting it belonged exclusively to the King. But in America, as in Scotland, and other continental countries, the practice is a mere hypothetical state, suited up to dignify the pretensions of their own masters and their own conduct, in speaking as they dare and voting to retain the party advantage of having two Democratic Senators in their seats, a plain violation of the constitution."

So these Senators of Iowa and Indiana had a constitutional discretion; yet the corrupt Democracy led set bad examples. If they have this constitutional discretion, then the motive being good or bad, a matter for individual Senators. If they believe that evils of great magnitude will result from the election of particular men to the Senate, they are justifiable in opposing the enemy under whatever flag it is marshalled for the contest.

The great political battle of 1850 will bring together in solid column the friends of the South, of the Union, and of human rights—the advocates of POPULAR SOVEREIGNTY against the conglomerate mass of Abolitionists and Disunionists in the North, who are preaching negro equality, and opposing the extension of slave territory and the admission of slave States.

Let our friends throughout the South and the Union come to our support, and aid us in extending the circulation, until the Democratic shall penetrate to every household where the liberties of the people are respected, and the rights of Popular Sovereignty maintained.

HARNEY, HUGHES & CO.

To Business Men Generally.

Those who have established themselves successfully in business should advertise to retain that position.

Those who are but commencing business should advertise to successfully establish them-selves.

Discreet and judicious advertising is the very life of business. Those who neglect to avail themselves of its advantages injure themselves in trade, and consequently beset the road on which we advertise.

WILL W. & SELBY HARNEY,
Attorneys and Counsellors at Law,
OFFICE NO. 5, COURT PLACE,
LOUISVILLE, KY.

WE ARE NOW PREPARED TO make up, in all parts of the South and West, through our agents, without additional expense, any sum required to be given on application for the same.

THOMAS BROWN, N. W. GRAY, WILLIS BROWNE, & GRAY,
EXCHANGE AND BANKING OFFICE,
No. Main street, between Third and Fourth
NATIONAL BUILDING,
Louisville, Ky.

WILL SEAL IN BILLS OF EXCHANGES, Land Warrants, Telegraphic Money, Gold and Silver, and transmit a general account of the same.

GEORGE W. WHITE,
ATTORNEY AT LAW,
LOUISVILLE, KY.

OFFICE ON THE SOUTH SIDE OF F

A. H. MCKAY,
ATTORNEY AT LAW,
OFFICE ON THE SOUTH SIDE OF F

J. J. H. WAGNER, and J. J. H. WAGNER,
Office at above.

COLLECTIONS MADE IN A ANY PART OF THE STATE, through branches established for that purpose.

The City of New York presents, at this moment, a signal example of the sad effects of Democratic government.

J. H. Haskin is elected, in New York, by a majority of thirteen.

DAILY DEMOCRAT.



JUDGE MUIR'S DECISION IN THE JAILER CASE.

THOS. BATMAN VS. JUDGE GARLAND, et al., Application
SUGD VS. A. BUCHMANN, J. MURKIN.

These causes were, by consent of parties, heard together. The facts were mainly agreed and are substantially as follows, to-wit: On the second day of August, 1858, an election was held for the office of County Judge, County Court Clerk, Sheriff, Coroner, and Justice of Jefferson County. The former incumbents were all candidates for election, and the Sheriff, County Court Clerk, and Coroners were re-elected. The former County Judge was defeated, and the Substitute, Thos. Batman, was elected for the office of Jailer. The poll-books which show that Batman received 3,641 votes; that Phillips received 335 votes, these numbers include the names of the electors, and the poll books, which pages were not signed by the clerk at the foot thereof, as directed in the Statute. If these pages are excluded, the Statute requires that the notice shall be given within ten days after the final action of the examining board. It was not given until the eleventh day after such "final action," if the day on which the board finished their labors be included. And whether conflict of opinion may exist in regard to the propriety of including that day in the computation, there is no room for doubt as to what the law is in Kentucky. The Court of Appeals, in the late case of S. C. Gilkes, has decided that in all such cases it must be included. And whether the day on which the board finished their labors be included, or not, is of no consequence, as the day on which the election was held is the day on which the election was held.

In this case, the defendant was to the most convenient place, or whether there existed sufficient cause for it, I will not stop to inquire. It is sufficient to say, that the day on which the board finished their labors is the day on which the election was held, and that the fact that the certificate given to Thomas is void, because it was not given by the proper officer, does not affect the day on which the election was held.

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DAILY DEMOCRAT.

PRINTED AND PUBLISHED BY
Harney, Hughes & Co.,
EAST SIDE OF THIRD STREET,
BETWEEN MARKET AND JEFFERSON.

TUESDAY..... NOV. 16, 1858.

It in Saline county, Illinois, the Republicans had four votes in 1856; they had none at the late election. The anxious friends of the four want information of their whereabouts.

Democracy—First and Second Wards.
There will be a meeting of the Democracy of the first and second wards, Wednesday evening, the 17th inst. A full attendance is requested, and the meeting is called for the purpose of appointing delegates to the State Convention.

Fire—About 12 o'clock last night a fire broke out in an old brick building situated within the square bounded by Second, Third, and Water streets and Washington alloy, and used as a storehouse for tobacco; it was formerly occupied as a tobacco-cutting-house, and almost adjoins the new tile roofed buildings occupied by Heiber & Wright as a millstone factory. In the building were stored a few hogsheads of tobacco, which we could not learn how many, nor to whom they belonged; these were not damaged except by water. The floors and roof of the house were destroyed, but the walls remain. The amount of damage cannot be ascertained, as the building was old and but a shell; the fire was no doubt the work of an incendiary, but was speedily extinguished.

Louisville and Portland Railroad Line.—The omnibus of this line will hereafter run to Wenzell street, every fifteen minutes, fare, for any distance on bus alone, invariably five cents; on bus and car conjointly, ten cents. The bus will not start until the fair is deposited in the bus. The driver is not allowed to receive or deposit the fare, under any circumstances, from in or outside passengers. Passengers depositing ten cents will receive a car check from the driver. To prevent delay, passengers will please, as far as practicable, provide themselves with "exact fair" before entering the bus.

The patronage of the public is earnestly solicited for the portion of the line above Brook street, as upon them it depends its success, and consequently its continuance.

It City and country buyers are notified that Messrs. S. G. Henry & Co. have a large sale of desirable winter dry goods, at ten o'clock this morning, Thursday, at auction rooms. At eleven o'clock precisely, an invoice of winter gloves—gants and ladies—with a small invoice of ladies' new style round shawls will be sold. At twelve o'clock, and to which the special attention of clothing and furnishing merchants is called, a lot of heavy winter business and overcoats, with an entire and fresh line of superior merino and all wool underwear will be sold.

We have by mail the December number of Arthur's Home Magazine; it is an excellent number and the book is worth to any family more than twice its price.

Frank Madden has received No. 3 of Gleason's new Weekly; it is destined to take the place of some of the trashy papers.

Paddock's Bank Mirror for November 15, is to hand.

Musical Fund Society.—The first public concert of the season will be given by the Musical Fund Society next Tuesday evening. Our readers all remember the excellent concerts of last season, and will hail with delight the announcement we have made.

It Frank, Carl, alias Pete Porter, was arrested in this city yesterday, by one of the kidnapping watchmen, for robbing the Pearl House, in Jeffersonville, and handed over to an officer from that city. Carl is an old penitentiary bird, having, we understand, just served his time out in the Indiana Penitentiary.

The Minstrels.—The Minstrels had a very large audience last evening, and gave unquenched pleasure, not only by their singing, but dancing, and the dramatic scenes. The ex-celsoir jig, by Ritter, was an admirable piece of foot-work, and elicited warm applause. The Minstrels give another concert this evening, with a change of program. We expect to see another full house.

It The well known story brick warehouse and lot on Main street, now occupied by Messrs. Gedrie & Co., was sold at public auction on Saturday last, by Messrs. S. G. Henry & Co. for \$28,000. Mr. J. M. Daniels was the purchaser; the brick smoke and packing house on Washington street for \$9,000. The terms were 1/4 cash, balance in two, one, and three years interest.

The rehearsal of the Mozart Society was very well attended last evening, and three new members were elected. Now that something like settled weather has come, we expect to see these rehearsals fully attended.

It After dark last night, the clouds cleared away, the wind went down, and the moon shone out beautifully. At midnight there was considerable ice formed.

Juries—A great many items of interest are crowded out, owing to the length of Judge Muir's decision in the case of Hartman vs. Thomas, which will be found in another column. The decision was given against Mr. Bateman.

We were visited by a pretty smart snow storm yesterday. But about one o'clock the weather cleared up, and it turned cool.

It Mr. Jas. B. McGow, who was injured on Thursday evening, at Richmond, Ind., died about 6 o'clock Friday morning. He leaves a widow, and a son some 8 or 9 years old, and a daughter by a former wife.

The N. Y. Post says a Cincinnati doctor has offered to sell Major Tidman a receipt for driving the cholera out of New York, for \$1000. It can be accomplished for less money.

Star—Everybody out脊s spares at this season of the year, and Messrs. Duffield & Co., advertise that they are ready to furnish them to the community.

It Remember that buckwheat cakes, lighted with Huile's Quick Yeast, are indeed a luxury, and no mistake.

Star—Rums—Everybody out脊s spares at this season of the year, and Messrs. Duffield & Co., advertise that they are ready to furnish them to the community.

It Clerks that can speak Chinese are in great demand by merchants in Paris. Everything Chinese is in fashion there, and chopsticks are used in the restaurants.

It The New York tax payers have held a meeting, and are about to try to correct their municipal affairs.

It It is said that the Hon. Joseph Howe, of Nova Scotia, will succeed Sir F. W. Head as Governor General of British North America.

Hogs—Hogs are coming in freely, and most of the pork-houses are in operation.

TELEGRAPH NEWS.

Foreign News.

NEW YORK, NOV. 16.—The steamer Prince Albert arrived from Liverpool, Nov. 14.

1. L. BOSTON, Nov. 15.—The sales of cotton on Wall Street included 500 bales on speculation, and 4,000 bales of exports, which closed with a declining tendency, and most interesting.

2. NEW YORK, Nov. 15.—The sugar market is unchanged.

3. NEW YORK, Nov. 15.—A new copper for laying a submarine cable from Galway to Newfoundland, has been formed, with a capital of \$100,000.

4. NEW YORK, Nov. 15.—The Vanderbilt has a steady winter passage.

The news of the Vanderbilt is of financial and commercial importance.

5. NEW YORK, Nov. 15.—The news reported regarding the conduct of the American Legation in Australia is good and peaceful. Small lots have been taken at \$25, and 1000 bags of tea at \$10 per lb.

6. NEW YORK, Nov. 15.—The steamer Marco Polo has arrived to seek passage.

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DAILY DEMOCRAT.

READING MATTER ON EVERY PAGE.

Jeffersonville Railroad.

On and after Monday, July 12, 1858, trains on the Jeffersonville Railroad will leave Jeffersonville, opposite Louisville, at 6:30 A. M., 10:45 A. M., and 10 P. M., daily, Sundays excepted.

Close connection made by the 10:45 A. M. and 10 P. M. trains at Seymour, with trains on the Ohio and Mississippi R. R., for St. Louis, Mound City, Cairo, Jefferson City, Kansas, Quincy, and Keokuk.

The 6:30 A. M. and 10 P. M. trains run through to Indianapolis, and form close connections with trains on the Terra Haute, Lafayette, Indianapolis, and Indiana Central Railroads, for all the principal cities in the East, West, and North.

The 6:30 A. M., 10:45 A. M., and 10 P. M. trains connect at Seymour with trains on the Ohio and Mississippi Railroad for Cincinnati.

The 10 P. M. train on Saturdays only goes to Seymour, where connections are made for Cincinnati, and Louisville.

One train on Sunday, at 10 A. M., running through to Indianapolis, connecting at Seymour to St. Louis and Cairo, also Cincinnati and the East, and at Indianapolis for the principal cities East, West, and North.

Only one change of cars between Louisville and Cincinnati, at Chicago.

Passage charged to all the principal cities. All changes of cars made by trains running into the same depot, thereby avoiding annoying omnibus rides incidental to other routes leading from Louisville to the West and Northwest. Time as quick and far as low as by day.

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